

NICHOLAS ANTWAN LEGGETT,)
)
 Petitioner,)
)
 v.)
)
 UNITED STATES OF AMERICA,)
)
 Respondent.)

¹ On 2 February 2017, U.S. Probation filed a motion for revocation, and a warrant for petitioner's arrest issued that same day. On 13 April 2017, petitioner was arrested. The revocation hearing is set for 1 May 2017. Although petitioner's term of supervised release has expired, the court retains jurisdiction for a reasonably necessary period. See 18 U.S.C. § 3583(i).

procedural defenses, including the statute-of-limitations defense (28 U.S.C. § 2255(f)) and other affirmative defenses that might preclude relief. Upon review of Petitioner's motion and relevant documentation, [the government] agrees that Petitioner has stated a meritorious claim of actual innocence as to his felon in possession charge [The government] agrees that Petitioner's conviction for felon in possession of a firearm [sic] should be vacated

(Resp., DE # 38, at 2-3.)

Accordingly, the § 2255 motion is GRANTED. The judgment entered 16 March 2004 is hereby VACATED, and the revocation hearing is TERMINATED.

This 20 April 2017.

A handwritten signature in dark ink, appearing to read "W. Earl Britt", is positioned above a horizontal line.

W. Earl Britt
Senior U.S. District Judge